



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,086	10/31/2003	Kazuo Okada	SHO-0044	9733

23353 7590 05/05/2006

RADER FISHMAN & GRAUER PLLC
LION BUILDING
1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

EXAMINER

HOEL, MATTHEW D

ART UNIT	PAPER NUMBER
----------	--------------

3713

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/697,086

Applicant(s)

OKADA, KAZUO

Examiner

Matthew D. Hoel

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9 and 11 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 to 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner is unsure if the applicant intends for Claim 11 to depend from Claim 10, which mentions a reflection plate, or from Claim 4, which mentions a light guiding plate instead.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ozaki, et al. (U.S. patent application publication 2001/0031658 A1, application 09/793,720).

Art Unit: 3713

1. As to Claim 1: '658 teaches a gaming machine (Abst., Fig. 1). '658 teaches a variable display means for displaying designs in a plurality of rows and emitting light (slot reels, Fig. 3 and 28; light source 9, Fig. 28). The examiner notes that in Claim 2 of the published application (2004/0171418 A1), the applicant states that the variable display means comprises (open language), so the variable display means can comprise parts other than just the slot reels. '568 teaches a light guiding plate disposed between the liquid crystal display panel and the variable display means (semi-transparent reflective plate 25, Fig. 28, Para. 138). '568 teaches a plate having a plurality of openings corresponding to respective ones of the plurality of rows (Figs. 1-3). '568 teaches a light source disposed adjacent a peripheral surface of the light guiding plate (light source 26 adjacent to peripheral surface of plate 25, Fig. 28). The light from the light source is guided via the light guiding plate to the liquid crystal display panel (guided across guiding plate and reflected to LCD, Fig. 28) and is able to illuminate a partial surface area of the liquid crystal display (partial surface area of EL panel, Fig. 2; EL panels can be replaced with LCD, Para. 136). The light emitted from the variable display means is able to illuminate a remaining surface area of the liquid crystal display panel through respective ones of the plurality of openings of the light guiding plate (Figs. 2 and 28).
2. As to Claim 2: '568 has multiple slot reels, each having a reel band with designs on it (Figs. 2 and 3).
3. As to Claim 3: The gaming machine of '568 is a slot machine (Figs. 1, 2, and 3).

Art Unit: 3713

4. As to Claim 4: '658 teaches a gaming machine (Abst., Fig. 1). '658 has a front display device disposed in front of the variable display device, the front display device including a transparent liquid crystal display panel (Figs. 2 and 28; LCD, Para. 136; transparent display, Abst.). '658 teaches a variable display means for displaying designs in a plurality of rows and emitting light (slot reels, Fig. 3 and 28; light source 9, Fig. 28). '568 teaches a light guiding plate disposed between the liquid crystal display panel and the variable display means (semi-transparent reflective plate 25, Fig. 28, Para. 138). '568 teaches a plate having a plurality of openings corresponding to respective ones of the plurality of rows (Figs. 1-3). '568 teaches a light source disposed adjacent a peripheral surface of the light guiding plate (light source 26 adjacent to peripheral surface of plate 25, Fig. 28). The light from the light source is guided via the light guiding plate to the liquid crystal display panel (guided across guiding plate and reflected to LCD, Fig. 28) and is able to illuminate a partial surface area of the liquid crystal display (partial surface area of EL panel, Fig. 2; EL panels can be replaced with LCD, Para. 136). The light emitted from the variable display means is able to illuminate a remaining surface area of the liquid crystal display panel through respective ones of the plurality of openings of the

5. As to Claim 5: '568 has a plurality of slot reels, each having a reel on it with a plurality of designs (Figs. 2 and 3).

6. As to Claim 6: The gaming machine of '568 is a slot machine (Figs. 1, 2, and 3).

7. As to Claim 7: The gaming machine of '568 has a plurality of reels, each with a plurality of designs on it (Figs. 1, 2, and 3). '568 has a transparent EL display over each reel (Abstract, Fig. 1).

8. As to Claim 8: In the gaming machine of '568, the front panel 26 has openings 27a, 27b, and 27c (Fig. 1, Para. 44).

9. As to Claim 11: '568 has a light source 9 (Fig. 28) disposed at a side of the light guiding plate that opposes the variable display device.

Claim Rejections - 35 USC § 103

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki ('568) and Biferno ('433) in view of Suzuki, et al. (U.S. patent 5,745,199 A).

12. As to Claim 9: Ozaki ('568) discloses all of the elements of Claim 9, but lacks specificity as to a transparent antistatic sheet on the rear side of the light guiding plate. Suzuki, however, in '199 teaches an LCD with an antistatic treatment (Col. 18, Lines 41 to 52). '199 has a light guiding plate 58 (Fig. 21, Col. 11, Lines 22 to 23). It would be obvious to one of ordinary skill in the art to apply the anti-static treatment to '568. The LCD display of '199 can be used in a gaming application (Col. 1, Lines 22 to 23), like the slot machine of '568. '199 has edge lighting 19 (Fig. 1; Col. 7, Lines 9 to 13), like '568 (Fig. 28). The advantage of this combination would be to enhance the gaming

Art Unit: 3713

machine's resistance to electrostatic discharge, as required by most state gaming regulations.

Allowable Subject Matter

13. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation of Pertinent Prior Art

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Toffolo, et al. in U.S. patent 5,920,256 A teach a variable transmissive device.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

16. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-5961. The examiner can normally be reached on Mon. to Fri., 8:00 A.M. to 4:30 P.M.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew D. Hoel, Patent Examiner
AU 3713


XUAN M. THAI
SUPERVISORY PATENT EXAMINER
TC3700